

Facing China: crises or peaceful coexistence in the South China Sea

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PRIF Report No. 134

Facing China

Crises or Peaceful Coexistence
in the South China Sea

Peter Kreuzer

Revised edition

Due to serious technical mistakes during the editing-process, the original version of this PRIF-Report contained numerous errors distorting the meaning of the text. These mistakes have been corrected in the revised edition.

With due apologies to the readers
Peter Kreuzer

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Summary

China's new assertiveness towards its neighbors in the East and South China Sea has been a much debated topic in the international media and academic literature. Up to the late 2000s, the People's Republic of China (PRC) seems to have followed Deng Xiaoping's dictum according to which it should keep a low profile. Since then unilateral Chinese acts, widely perceived to be coercive, have increased in number and severity. The preliminary climax has been reached with the establishment of a number of artificial islands in the South China Sea that are currently being furnished with harbors and airports. These are most probably geared towards supporting future Chinese military power and enabling the Chinese coast guard to better enforce Chinese laws in the disputed areas.

According to power transition theory the growing inclination of China to coerce other nations with conflicting maritime and territorial claims into submission is a function of her rise. It is perceived to be a part of an overall design to deprive the United States of its hegemonic position as a guarantor of East and Southeast Asian regional order and establish a Chinese sphere of influence in its stead. A number of China watchers point to the role of Chinese nationalism as a prime driver behind the toughening of China's stance towards its recalcitrant neighbors that refuse to give in to her maximalist maritime and territorial claims.

This report argues that both explanations have their merits. However, neither of them can explain earlier acts of Chinese assertiveness when Chinese capabilities were still fairly low and popular nationalism of no significant political importance. Further, as most studies merely focus on China's high level conflicts and ignore similar conflicts between China and other claimants that are not characterized by high levels of Chinese assertiveness, they neglect variations in past and present Chinese conflict behavior.

Deviating from the majority of studies that focus on China's high-profile disputes with Japan, the Philippines and Vietnam, this report compares one crisis-prone dispute, the one between China and the Philippines, with another dispute that has been managed largely crisis-free during the past decades: the dispute between China and Malaysia.

While in both cases China disputes the opponent's claims to exclusive economic zones (EEZ) and sovereignty over islands, Chinese patterns of behavior are worlds apart. The report argues that the observable variation in Chinese conflict behavior is rooted in the approaches chosen by China's opponents for framing their bilateral relationships and dealing with China. Specifically, I argue that China's opponents can make use of two partly incompatible national self-conceptions of Chinese foreign policy in order to influence Chinese perceptions of the relationship and thus moderate Chinese actions. On the one hand, China aims at being recognized as a respected power that legitimately aspires to have a substantial influence on the regional and global order. On the other hand, Chinese leaders legitimize their continued rule as successful guarantors of Chinese sovereignty.

Whereas the second aim can in principle be achieved through coercion, the first hinges on voluntary acts of recognition by other states. China's quest for respect makes Chinese elite highly sensitive to the international gaze and provides China's opponents with win-

dows of opportunity for trading respect for Chinese restraint in the maritime and territorial disputes. While Chinese leaders would ideally want to pursue both goals simultaneously, in practice they are willing to compromise on the second in favor of the first. This is not to say that the Chinese leadership surrenders China's maritime and territorial claims in exchange for respect or recognition. Yet, given the opponent's recognition of China's self-role and world order conceptions, China is more likely to abstain from aggressively asserting its claims, ignore the opponent's insistence on its claims and shelve the disputes for the time being.

In fundamental difference to most current analyses, this report does not only focus on the past few years, but starts with an analysis of the initial move with which China established its presence on the Spratly Islands in 1988 (chap. 3). It continues with an analysis of the Malaysia's and the Philippines' reactions to China's occupation of Mischief Reef in 1995 (chap. 4), followed by an analysis of the cooperative interlude in Chinese-Philippine relations in the first decade of the 21st century (chap. 5). The final empirical chapter six deals with the Malaysian and Philippine reactions to the present Chinese acts of assertiveness in the maritime regions claimed by the two countries.

Even though the Sino-Malaysian relationship is characterized by a fundamental asymmetry with respect to almost all variables to be taken into account, the two states have established and upheld stable and highly profitable bilateral relations over the past four decades. Throughout the past decades, Malaysian perceptions of China as a potential threat have been hedged by putting them into a much broader perspective that proceeded from the frame of mutually beneficial relations. In addition, Malaysian leaders devised a shared identity that appealed to China. Examples of this are the strong insistence on national sovereignty, non-interference in domestic affairs, regional resilience and multipolarity. For most of the time Malaysia actively supported alternative readings of core themes in the discourses on human rights and democracy. Thereby Malaysia proactively signaled recognition of core dimensions of China's national self-role and world order conceptions and established sufficient social capital that allowed it to assert its maritime and territorial claims, e.g. by occupying disputed islands or extraditing gas from disputed maritime territories. Despite this, China has largely refrained from assertive behavior.

Except for the short interlude of the Arroyo presidency, the Philippines never managed to achieve bilateral "harmony" with the rising China at the level Malaysia did seemingly effortlessly. The core difference between the dispute behavior of Malaysia and the Philippines can be found in the fulfillment of the requirement of deference. In most phases the Philippines chose a confrontational strategy in reacting to Chinese assertiveness. Most importantly, it did not only challenge China's maritime and territorial claims, but also Chinese self-role and world order conceptions. In return, China resorted to further assertive acts on the ground in an effort to force the Philippines to display a deferential attitude.

The dynamics observed in the two case studies closely fit the logic of face-nationalism (Gries 1999) that is dependent on others voluntarily giving face (respect) to China. Whereas Malaysian politicians aim at giving face to China, Philippine politicians actively aim at destroying the public face of China. In the language of face-diplomacy, the Philip-

pine public challenge to China's self-role and world order concepts then amounts to a fundamental loss of face that cannot be tolerated. Through its face-giving behavior, Malaysia itself earns face (respect), which allows the Chinese to unilaterally advance concessions with respect to conflict behavior. The Philippines due to its face-destroying strategy are treated as an actor of lower moral standing that is not in need of face and has to be dealt with accordingly.

The comparison of the Malaysian and Philippine cases show that selective role-taking by China's opponents, i.e. conforming to and enacting the role-set provided by the Chinese, enables them to influence Chinese behavior and elicit higher willingness to compromise. Higher levels of respect and purported "we-group consciousness" displayed by Malaysia corresponded to lower levels of Chinese assertiveness. As a consequence, extended crises, with both sides resorting to a tit-for-tat strategy that exacerbated tensions and damaged overall relationships, could be avoided. In contrast, the Philippine strategy of challenging China's self-role and world order conception resulted in higher levels of Chinese assertiveness. Cycles of mutual provocation enhanced the chance of unintended armed confrontation and diminished the option for cooperative endeavors.

The comparative analysis of the Malaysian-Chinese and Philippine-Chinese disputes suggests that China's opponents in territorial and maritime conflicts should not reframe the territorial conflict in a normatively highly laden language. Neither should they try to construct an imagined world community of shared values that opposes a China that in turn is depicted as a power that violates fundamental principles of international law. Instead they should downsize the dispute and embed it into a broader frame of cooperation for mutual benefit based on mutual respect.

While the US certainly functions as a guarantee-power of last resort (as it does informally for Malaysia) this must not be overemphasized. China's opponents should not explicitly and publicly connect their case to the security imperatives of the United States.

Instead, they should reestablish the centrality of the Association of Southeast Asian Nations (ASEAN) and the principle of regional resilience, which rests on ASEAN credibly espousing an independent position that aims at keeping all foreign powers at arm's length and regaining regional leadership with respect to the fundamental rules of the game.

For the time being, the maritime and territorial conflict defies resolution. Agreeing on a binding code of conduct for the South China Sea is the utmost to be expected. Any such code brokered by ASEAN, however, would bind China and the various other claimants, but not the United States. It would limit Chinese but not US military options in the South China Sea. Therefore, in order to gain Chinese consent to a binding code of conduct, it would have to include some concession from the US so as not to appear as a weakening of China's national security. This could either be achieved through a unilateral concession or an accession of the US to the code of conduct that then would have to be framed in a way that also limits the strategic options open to the US.

For the Philippines, as for all other claimants, it is important to accept the unspecified Chinese offer to jointly utilize the uncompleted installations on the newly established artificial islands. In exchange, the other parties should offer joint use of their installations

to China. Further, the Philippines as well as the other claimants should call the Chinese bluff of offering joint exploration of seabed resources. They should also propose to enter into bilateral negotiations on those problems that are bilateral in nature. Finally, ASEAN might broker talks that aim at establishing a joint fisheries authority, which would be responsible for establishing quotas and temporary fishery protection zones for those areas that are within the EEZ claims of the various claimant states.

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1. Introduction

The past three decades saw China's phenomenal rise with respect to economic and military capacities. While its share in East Asian and global trade was negligible only three decades ago, China has superseded the US as the world's biggest trading nation in goods in 2012. Similarly, the military budget exploded within the last thirty years.

For the past two decades China seems to have followed Deng Xiaoping's prescription according to which it should calmly observe the international situation, secure its position, keep a low profile, never seek leadership but make some contributions. The various versions of these general guidelines were eventually condensed into the famous advice that China should keep a low profile (taoguang yanghui; 韬光养晦; hide brightness and cultivate obscurity) (Chen/Wang 2011).

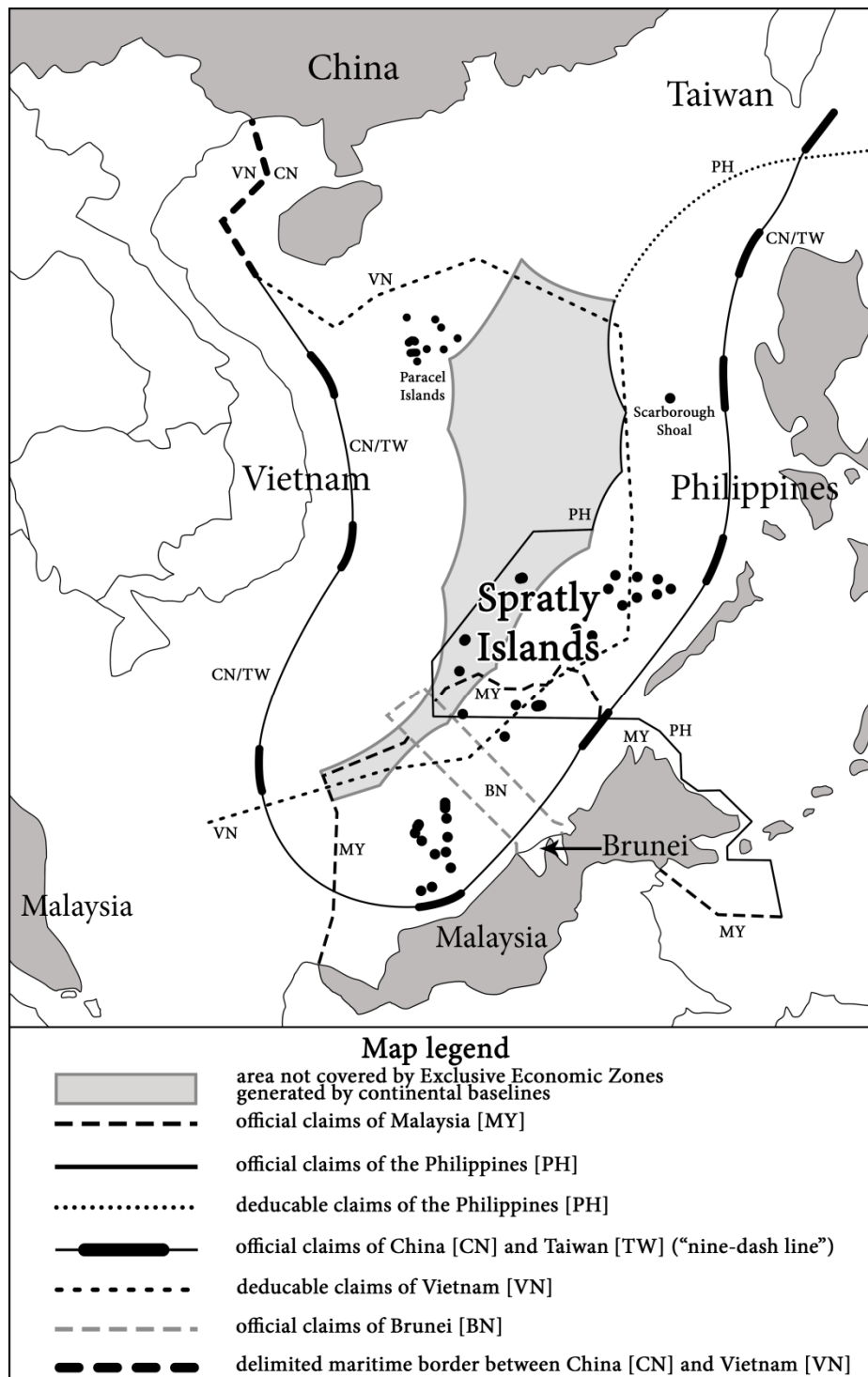
Yet, many observers argue that since the global financial crisis of 2008, Chinese understatement has given way to assertiveness if not arrogance. This seems to be especially apparent in China's behavior in its territorial and maritime disputes in the East and South China seas, where Chinese claims conflict with those of Japan, the Philippines, Vietnam, South Korea, Taiwan, Malaysia and Brunei.

This report questions the widespread assumption of Chinese assertiveness. It does so by comparing one of China's most prominent high-level conflicts, the one with the Philippines, with a conflict that hardly ever makes it to the headlines of either international media or academic analyses, the conflict with Malaysia.

While these conflicts are fairly similar in many respects, they differ fundamentally with regard to the behavior of both parties to the conflict. Whereas China acts highly assertive in its conflict with the Philippines, it is highly tolerant in its relations with Malaysia. Malaysia's claims in the South China Sea overlap with those of China. Malaysia has occupied a number of islands and reefs claimed by China and sells huge quantities of oil and liquefied gas that originate from these disputed regions. Yet, China acts with much more restraint as compared to its activities in the contest with the Philippines, even though the Philippines have a history of mustering the support of the United States and increasingly also Japan. In contrast, tiny Malaysia, proud of its independent foreign policy and devoid of a fully fledged security partnership with the US, has not had to deal with Chinese expansionists moves for the past decades.

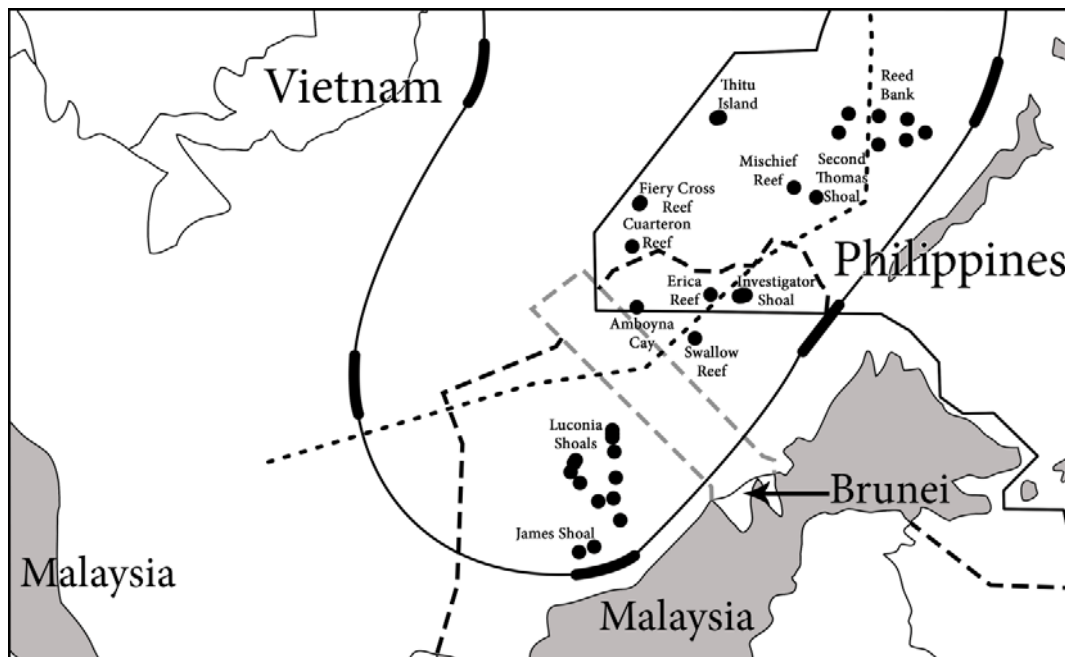
Considering Malaysia's small size, its leaders have enjoyed unprecedented access to Chinese top-level policymakers and the bilateral economic relationship has been excellent for the past two decades. China is one of the main buyers of the gas produced in Chinese claimed maritime territories, thereby filling Malaysian state coffers. While China has signaled that it would stick to its claim, it only made use of assertive moves very sparingly, and in a way that never "rocked the boat" of bilateral relationships.

Geography of the South China Sea with competing claims



Source: http://www.d-maps.com/carte.php?num_car=75&lang=de, adaptation: Robin Hsieh

Geography of the Spratly Islands



Source: http://www.d-maps.com/carte.php?num_car=75&lang=de, adaptation: Robin Hsieh.

The literature explaining Chinese assertiveness is dominated by two explanations. Power transition theory would make us believe that a rising China will at one point or another confront the established hegemon, the US, in an effort to adjust the international order according to its interests. In this context, assertiveness in the China Seas may be perceived as a prelude, slowly depriving the established hegemon of its dominant strategic position in the immediate environment of China. The second perspective focuses on the domestic requirements of Chinese regime legitimacy. The rise of nationalism observed in the past two decades forces the party elite to take a tougher stance in order to safeguard its image as the standard-bearer of Chinese national interests and great-power status (Yang/Lim 2010; Yang/Zheng 2012).

While both explanations do have their merits, they also have serious flaws. First, neither can explain why China acted assertively in earlier periods, when Chinese capabilities were still fairly low and nationalism still no inhibiting force on elite-behavior. Second, they can also not account for differences in Chinese conflict behavior towards different target-states with whom China has rather similar conflicts.

This report argues that these deficiencies result from the neglect of the options open to China's adversaries to influence Chinese perceptions and evaluations of bilateral relations; differences which then translate into Chinese conflict behavior that varies between opposing claimants. The general argument is that Chinese perceptions and behavior are shaped by the opponent's prior publicly voiced perceptions of and actions towards China.

Specifically it is argued that China's opponents can make use of the simultaneous existence of two partly incompatible "national self-conceptions" (Shih/Yin 2013) and goals

of Chinese foreign policy in order to moderate Chinese perceptions and actions. On the one hand, China aims at being recognized as a respected power that legitimately aspires to have a determining influence on the regional and global order, a power that not only plays according to the rules of the game established by others, but participates in the further development of the rules of the political and economic game. On the other hand, Chinese leaders legitimize their continued rule as successful guarantors of Chinese sovereignty.

Whereas the second aim could in principle be achieved through coercion, the first hinges on voluntary acts by other states. Peter Gries argues that China's elite, reacting to popular nationalism, is primarily preoccupied with gaining face (面子, *mianzi*)¹ for China. Yet, "[b]ecause face is located in others' minds [...] it cannot be manipulated easily" (Gries 1999: 69). Face must be given voluntarily. This makes Chinese elite very sensitive to the international gaze (Shambaugh 2013: 23). It also provides China's opponents with windows of opportunity for trading respect for China's face for Chinese restraint in disputes.

Given the extremely high costs of coercion in asserting territorial claims, it is argued that in their quest for upholding domestic legitimacy Chinese elites will utilize recognition as a (temporary) substitute for tangible gains in the maritime and territorial disputes. This is not to say that the Chinese leadership surrenders China's maritime and territorial claims in exchange for normative recognition. Yet, when China is satisfied with the opponent's recognition of China's normative status, it is more likely to abstain from asserting its claims and instead shelves the disputes and aims for joint development. While this does not include compromise on territorial sovereignty, it would in principle allow for pragmatic cooperation in exploring and exploiting the resources of the South China Sea.

Comparing Malaysian and Philippine perceptions of and actions towards China, it is argued that countries, which embed their territorial and maritime conflicts with China in a broader frame that recognizes and respects the core normative features of China's benign self-image, its self-perceived role in the region and beyond as well as the desirable world order advanced by China are able to forge better overall relationships and thereby de-escalate tensions. Those countries that do not, end up with more tense bilateral relationships that harbor higher potential for escalation.

This report establishes a conceptual framework that explains differences in China's reactions towards the Philippines and Malaysia (chapter 2). It then applies this framework to several periods that extend from China's arrival in the Spratly Islands in the late 1980s to the present. A major focus is on Malaysia's and the Philippines recognition of Chinese

1 To a large extent the Chinese concept of face (脸, *lian* or 面子 *mianzi*) is similar to the concepts of respect or recognition. Face refers to the "self as presented to, or revealed to, others. [...] 'Face is really a psychological satisfaction, a social esteem accorded by others.'" (Loewenberg 2011: 691). Gries argues that "'face' is the figurative self shown to others. [...] face is a cultural universal. It is also, however, culturally specific: Chinese 'mianzi culture,' like a 'code of honor,' can be analyzed to reveal how face is lost or gained" (Gries 1999: 67). On the universal basis of face and "face-work" see Goffman 1967; for a detailed analysis of the Chinese in relation to the universal concept see Qi 2011.

self-role and world order conceptions on the one hand and the two states' reactions to acts of Chinese assertiveness on the other (chapters 3 to 6). The final chapter firstly sums up and frames the results in the languages of those theories and concepts introduced in chapter 2. It secondly provides some hints on how to better manage the conflict in the South China Sea.

Before turning to the conceptual framework, one objection ought to be dealt with: that Chinese non-assertiveness towards Malaysia is simply the result of long distance.

Certainly distance matters and the Chinese navy's and coastguard's operational capacity decreases with distance from China's coastline. However, an analogy can be drawn between Malaysian-Chinese relations and South Korean-Chinese relations as in both cases longstanding maritime conflicts are embedded in an overarching bilateral framework that mitigates conflict-behavior and strengthens Chinese readiness for toning down dispute-behavior. The rather amicable Korean-Chinese relations illustrate that distance is no sufficient explanation for specifics of Chinese conflict behavior.

2. Utilizing Chinese self-role conceptions for dealing with China

Loosely following Shih Chih-yu and Yin Jiwu (2013), I differentiate between China's national role conceptions as a civilization and a territorial state. I argue that China, conceiving itself as a civilization, aims at preaching and pushing for the universal recognition of core concepts underlying Chinese self-role and world order conceptions.² Simultaneously, Chinese leaders put a premium on national sovereignty viewing China through the lens of the nation state.

This duality is less arcane than it might seem at first. Actually it closely resembles the duality of goals visible in much of US foreign policy swinging between a "manifest desti-

2 Here I draw on Holsti's classical study of national role conceptions, i.e. "ego's own conception of his position and functions, and the behavior appropriate to them" (Holsti 1970: 239) and the associated role-expectations towards the other players in the international system. Noesselt, referring to role theory in International relations scholarship, argues that national (self-) role conceptions refer "to the imaginations of ego and alter that underlie a state's chosen behavior in the international arena. With regard to foreign policy, reflections on ego and alter roles guide and determine political actions and justify political decisions *ex post*" (Noesselt 2014: 5–6).

While self-role conceptions may be espoused unilaterally the respective roles rest on recognition. Roles are "not owned by those who play them: they are part of the structure or 'culture' of the international system" (McCourt 2012: 374). This means that new roles or role change is only possible, if the respective role concepts are recognized or accepted as valid by others. Recognition in this context means acting according to the other-role expectations inherent in the original role-concept. This process is understood as alter-casting, an effort "to get this role legitimated by relevant Others. Alter-casting refers to the process by which individuals seek to persuade Others of their definition of their role, by seeking to change the roles of Others. They thus seek to 'cast' a certain 'alter' onto the Other, an alter that accords with their particular vision of themselves" (McCourt 2012: 380).

ny” of providing order to the world and a rather narrow focus on national interests. Put simply, the present Chinese leadership aims at establishing their view of a harmonious world (*hexie shijie*; 和谐世界) in which the US and China (and probably a small number of other major powers) engage in a new type of major power relations (*xinxing daguo guanxi*; 新型大国关系).

This study is not interested in the obvious difficulty of harmonizing these two visions of a just world with the associated self-role conceptions of the two great powers. Instead, it focuses on the options available to third countries to utilize the great powers’ interest in the recognition of their visions and claims for normative leadership in exchange for compromises on specific issues. With a specific focus on the South China Sea it is argued that China will “perform occasional self-sacrifice” with respect to immediate national interest if this is “conducive to long-term harmony. When China achieves a reciprocal role relationship with every nation in the world through such concessions, it will have achieved the harmonious world” (Shih/Yin 2013: 68).

Other countries are expected to reciprocate by showing respect to China, which in the context of the conflicts in the South China Sea would include refraining from outright challenges with respect to the concrete territorial issues and showing some recognition to Chinese self-role and world order conceptions. Following Brantly Womack (2008), I argue that the Chinese vision of a “harmonious world” is characterized not by abstract norms, but evolves when the various actors act according to the specific relational-roles that structure and regulate specific relationships. Womack argues: “As China applies relationship logic to international relations, its actions aim to optimize relationships rather than transactions. In this model China does not use preponderance of power to optimize its side of each transaction, but rather to stabilise beneficial relations.” (Womack 2008: 296). Therefore, relationships need not be symmetric, but reciprocal, with each side fulfilling its side of the relationship. In that regard the ideal patterns of relationships “are contingent and depend on ‘who we are interacting with, and when’” (Kavalski 2013: 254).

Given the asymmetry between “giant” China and “small” Philippines and Malaysia, Womack argues that acknowledgement of its autonomy by the stronger state is essential to the small state. The stronger state in turns aims at receiving “deference” by the weaker state. This needs “not necessarily require submissive behavior. The minimum standard for deference is that [the weaker state] B pursues its interests in a manner that is respectful of A’s relative status.” (Womack 2003: 97). In an asymmetric relationship, reciprocity can be achieved by trading autonomy for deference, as deference by the smaller power signals acceptance of the overall asymmetric relationships. This in turn allows the stronger power to grant autonomy to the weaker as it rests secure that the asymmetric relationship as such is respected.

Drawing on Womack and Kavalski, I argue that China’s opponents actually may (to a certain extent) push further on this issue without provoking China’s ire. In order to do so, they have to signal respect and support for China’s self-role conception and establish a “we-group” that links the two states on terms that resonate well with the Chinese world order conceptions. China will then reciprocate by lowering its level of assertiveness and tolerating higher levels of assertiveness by the respective opponent. Contrariwise, if Chi-

na's opponent chose to challenge China on normative grounds, if they aim at depriving China of "face", China will react by heightening its assertiveness in the maritime and territorial conflict.

The analysis focuses on the reconstruction of the cognitive and normative frames established in public pronouncements of high-ranking Malaysian and Philippine government officials with respect to (1) the bilateral conflicts with China, (2) the overall bilateral relationship and (3) the appreciated world order conceptions including the own country's and China's putative place. When necessary, other criteria signaling intensity and type of relationship are also employed as for example frequency and types of mutual visits by high-ranking government officials. This is illuminating as it not only allows assessing the importance assigned by China's opponents to the bilateral relationship, but also signals China's appreciation of its small neighbors and its evaluation of the quality of bilateral relationships.

3. China enters the Spratly Islands

Given the fact that up to the mid 1980s China had no physical presence on the Spratly Islands while the other claimants had already occupied many islands and atolls there, it should come as no surprise that China tried to consolidate its long-standing claims by occupying various elevations in this region in 1987/88.

In early 1987 China first protested against an alleged Vietnamese occupation of a further Spratly-Island feature. Directly following the criticism of Vietnamese action, Chinese navy patrols went as far south as Malaysian-claimed James Shoal in an effort to signal Chinese resolve (Jianchuan Zhishi 8 February 1988, translated in: JPRS-CAR-88-034: 14;³ Ang 1999: 6). Later that year, China sent a "scientific expedition" to the Spratlys (Austin 1998: 82; for details see Garver 1992). From August onward, Chinese forces explored and later occupied several reefs in areas claimed by Vietnam and the Philippines (Fiery Cross Reef, Cuarteron Reef). Vietnam reacted by occupying additional reefs on its part. Finally, in March 1988 Vietnamese and Chinese forces clashed over a reef claimed by Vietnam, the People's Republic of China (PRC), the Philippines (and the Republic of China on Taiwan). In the wake of this clash both parties occupied further reefs in April and May 1988, but evaded direct contact.

While the Chinese activities did not directly target the Philippines or Malaysia, they should have been of crucial interest to both of them: to the Philippines, because the features occupied by China are situated squarely within the area claimed by the Philippines;

3 This and many other of the older sources were derived from the daily reports of FBIS (Foreign Broadcast Information Service) and Joint Publication Research Service (JPRS). Utilized were the reports on China (FBIS-CHI, JPRS-CAR), Asia Pacific (FBIS-APA), Southeast Asia (JPRS-SEA) and East Asia (FBIS-EAS). In addition a significant number of reports were drawn from World News Connection (WNC).

to Malaysia, because the various “visits” of Chinese Navy vessels to James Shoal, which is only 30 nautical miles (NM) from the Eastern Malaysian coast-line, clearly signaled that the islands claimed by Malaysia were within the reach of the Chinese navy.

3.1 Malaysia: speaking softly and creating a “we-group”

3.1.1 *Past Chinese-Malaysian relations*

Malaysia was the first Western-oriented country in Southeast Asia to establish diplomatic relations with China in 1974. Years earlier, the first Malaysian Prime Minister already claimed that “the denial to a big power [i.e. China] of its proper role cannot be conducive to the establishment of a stable and harmonious world order” (Rahman 1970: 57). Malaysia’s relations with China were to be part of an overall strategy for guaranteeing the security of Malaysia and the Southeast Asian region that aimed at keeping a distance from all great-powers and neutralizing Southeast Asia. For China the new Malaysian Prime Minister Tunku Abdul Razak envisaged in 1971 “the right to play a role in regional affairs commensurate with her importance and dignity as a major power and the right to expect that the countries of the region do not act in ways which adversely affect her” (Razak 1976: 129). Malaysia’s China policy was then deliberately calibrated in the context of an overall policy of non-alignment and a rejection of “security alliances with great powers which not only drag them [Southeast Asian nations] into external power conflict but more importantly sour the relations with each other to the detriment of the region as a whole” (Razak 1981: 251).

To Malaysia, national and regional security should rest not on alliances, but on “national” and by extension “regional resilience” that would keep external powers in a non-hegemonial position with respect to Southeast Asia. To China this framework was highly acceptable. Therefore, China in 1974 for the first time reneged on its role as the guardian of the overseas Chinese and accepted that “anyone of Chinese origin who has taken up of his own will or acquired Malaysian nationality as automatically forfeiting Chinese nationality” (Joint Communiqué 1974, in: FBIS-CHI-74-106: A28–A29). The following years saw a number of top-level meetings, with the most prominent being Deng Xiaoping’s visit to Malaysia in 1978 and the reciprocal visit of Malaysian Prime Minister Hussein Onn to Beijing in the following year. Knowingly or unknowingly the Malaysian leaders in their pronouncements on Chinese-Malaysian relations followed the Confucian notion of “harmony but not uniformity” (he er butong; 和而不同), which aims at “interactions premised on respect for (not agreement with) those different from us” (Kavalski 2013: 254). Malaysian Prime Ministers regularly voiced their concerns, but were apt at putting these into a positive framework. Long-standing Malaysian Prime Minister Mahathir Mohammad (1981–2003) was a master at this exercise. His strong stance in favor of a new international economic order that should rely on strengthened South-South cooperation and mutually beneficial trade as well as his explicit embracement of the principle of peaceful coexistence and the rejection of collective security systems closely fit Chinese notions of a desirable international order. Through his advocacy of these aims he created

a “we-group”, imagining China and Malaysia as members of the same “camp.” This in turn allowed him to voice his concerns about China’s future role, by referring to Chinese empathy and understanding. In a prominent speech at Tsinghua University in 1985 he stated that

“To be frank, some of us wonder whether China will seek to enhance its political influence at our expense. In a comparative sense, we are defenceless and we have no desire to seek recourse to massive defence build-ups or alliances both of which are anathema to our way of life. If these concerns appear baseless to you, I ask you to remember that historically small countries on the peripheries of a big and powerful state have always had reason to be wary. [...] Some concerns linger on, for we are extremely jealous of our sovereignty and trust does not come easily to us in view of our past experiences [with China].” (Mahathir 1985)

This reminder explained and legitimated the long-standing Malaysian policy of developing a credible defense posture against external enemies. Crucially, Malaysian defense stayed clear of aligning with the United States. Instead, it aimed at a policy of national resilience centered on the creation of modern, professional and well-equipped armed forces, which, in stark contrast to many regional forces, were not only focused on combating domestic insurgencies but also police the nation’s territorial sea and exclusive economic zone (EEZ).

Even though Malaysia was the first country pro-actively discussing a change in its China-policy in the early 1970s, it never hesitated to press its demands in the South China Sea through economic activities. Exploration activities in territories also claimed by China started in the late 1960s. One decade later, in 1979 Malaysia formally established its EEZ, thereby coming into conflict with the vast Chinese claims. Yet, Malaysia’s decision to occupy several reefs in the 1980s was described as an action that aimed at thwarting Vietnamese expansionist designs. The Malaysian occupation of Swallow Reef in 1983 for example was presented as a reaction to the earlier Vietnamese occupation of Malaysian claimed Amboyna Cay. The Malaysian imagined enemy then was not China but Vietnam, which, induced by “greed and the arrogance of power,” was said to “go on an island grabbing spree” (Kuala Lumpur International Service 14 September 1983 in: FBIS-APA-83-181: O3).⁴

3.1.2 Malaysian reaction to the Chinese moves

While Malaysia issued a formal statement that reiterated its claims in the South China Sea, the Malaysian elite abstained from commenting publicly on the Chinese moves in the Spratlys in 1987/88. The government-controlled Malaysian media hardly reported on the Chinese foray, and instead focused on the progress of the bilateral trade relationship.⁵ Malaysian hedging against China was devoid of all political rhetoric that would have de-

4 For the Chinese response to the Malaysian action see Shen 1997: 69.

5 For reports on the clashes see for example: New Straits Times 18 March 1988: 8, 14; 19. March 1988: 8; 21 March 1988: 10. For other reports focusing on mutual opportunities see for example: Berita Harian 21 January 1988, translated in JPRS-SEA-88-021: 21f; New Straits Times 21 January 1988; Malay Beam 16 April 1988, in FBIS-CHI-88-074: 14; Xinhua 17 June 1988; in: FBIS-CHI-88-118: 20.

fined China as a possible threat. Likewise, the option of turning to the United States as a balancing power was ruled out. Instead, Malaysia chose to stick to the earlier path of self-reliance through selective strengthening of its Navy and Air Force.

In line with its stated policy of national resilience and past practice of ensuring a credible external defense Malaysia announced in early 1988 that it was upgrading its air force base at Kuantan, at the East coast of West Malaysia but added that this was “not because of the existence of a foreign threat” and that “the Spratly question [should] be handled by China and Vietnam” (quotes: *Berita Harian* 28 April 1988, translated in: JPRS-SEA-88-028: 23). Shortly afterwards Malaysia acquired several new patrol vessels for “deployment in the South China Sea” and six helicopters that were to be equipped with the most sophisticated weapons systems for defense against warships and submarines. In addition Malaysia disclosed that longstanding plans for acquiring a submarine had become a priority project of the Navy. (quote: *Utusan Malaysia* 13 May 1988; *New Straits Times* 22 May 1988, both articles in: JPRS-SEA-88-029: 26–28). The Malaysian government also decided on the construction of a huge naval base near Sabah’s capital of Kota Kinabalu that was to serve “as the main center of Malaysian naval operations in the South China Sea” (*Manila Chronicle* 29 April 1990, in: JPRS-SEA-90-017). Despite these clear signals of national resolve, politicians and the military elite were at pains not to connect the military build-up to the Spratly-problem, but argued that these were steps “in improving naval defense capability against threats of penetration from any quarter” (*Berita Harian* 6 July 1988, translated in: JPRS-SEA-88-034: 34–35, quote 34).

3.2. The Philippines: a client not being able to make use of the patron

3.2.1 Past Philippine-Chinese relations

Whereas Malaysian foreign policy has been characterized by neutrality and national resilience at least since the early 1970s, Philippine foreign policy was by and large perceived in the context of a dependency relationship with its patron, the United States that guaranteed Philippine external security through the US-Philippines Defense Agreement of 1951.

Given the new US policy of the Nixon Administration, the Philippines followed the Malaysian example of establishing diplomatic relations with the PRC. However, in fundamental difference to the Malaysian foreign policy decision, the Philippine change in policy lacked an overall vision of regional politics. In September 1974 Imelda Marcos, the Philippine President’s wife, visited China to prepare for the normalization of diplomatic relations. Despite the Philippines close security relationship with the United States, she signaled consensus with respect to a number of issues that were at the core of the Chinese worldview. According to her, the Philippines and China “found common cause in furthering the interests of the Third World in the United Nations system” and also “share in the belief that respect for the sovereignty and the right to self-determination of peoples is the true cornerstone of harmonious international relations. [...] We do not believe in the hegemony of any single power or culture in Asia.” Imelda Marcos even praised Mao

Zedong as “the beloved leader of China” (Marcos I. 1974). One year later, President Ferdinand Marcos visited China on account of the establishment of diplomatic relations. He went so far as to argue that “We must review our alliances,” further strengthening this by pointing out that “We are Asians. We live in Asia. Our future is in Asia. And we should remodel our thoughts and our policies in accordance with that indubitable fact.” Marcos declared China to be a role model to be emulated: “I believe that China, with the depth of the moral outrage she has shown for the iniquities of the past and the present, is the natural leader of the Third World. [...] As an Oriental, I cannot but be proud of your historic achievement” (Marcos F. 1975: A14–A16).

Whereas the Malaysian prime ministers’ rhetoric closely fitted Malaysia’s overall foreign policy as one of the leading nations of the Non-Aligned Movement as well as a leading voice of the Organization of Islamic Conference, the Philippines’ ingratiating rang hollow. Besides Thailand, the Philippines was the only Southeast Asian state that had succumbed to US pressure and actively supported the US war effort in Vietnam with a troop presence (up to early 1970; Larsen/Collins 1975). Further, it still was the most important regional US-ally. Also the Philippine economy was heavily reliant on the US. Finally, Philippine President Marcos had just proclaimed martial law in 1972, giving the armed conflict with the Communists insurgents as the core reason for this move. He explicitly accused the Philippine Communists of having “adopted Ho Chi Minh’s terrorist tactics” and “Mao’s concept of protracted people’s war” (Marcos 1972). Against this backdrop the quasi-revolutionary appeal of the speeches by the President and his wife seemed highly implausible, especially as the Philippines at the same time tried to utilize their new China connection to woo additional economic support from the United States.

It certainly did also not escape Beijing’s attention that Marcos’s postulate that one should review one’s alliances was not meant to abolish them, but to get a better deal by renegotiating them. Further, the Philippine efforts to coax the US to extend their security guarantee towards the non-metropolitan territories the Philippines had only claimed a few years ago, clearly signaled that the Philippines would not subscribe to a policy of regional neutralization that gave all great powers an equal share. As a consequence, once having achieved diplomatic normalization, China-Philippines relations succumbed to a deep slumber.⁶ Simultaneously, Philippine-US relations thrived with US support proving crucial for the survival of the regime and the fight against internal insurgencies as well. This continued reliance on the US security guarantee became especially visible in the late 1970s. The Philippines not only allowed oil-drilling in the Spratlys (1976) but also occupied a further island (1978). They amended the Bases-Agreement with the United States (1979) and publicly claimed that the US was bound to defend the Philippines in the case of any attack on Philippine troops even beyond the metropolitan area (AFP 3 February 1979). Simultaneously, a Presidential Decree was published in which Marcos officially declared Philippine ownership over many of the Spratly Islands (Kalayaan Islands). This

6 To a certain extent it may be said that China tried to push for enhancements, as for example it supplied the Philippines with oil well below market-prices for a number of years (Woodard 1980: 232–233) during the years of the oil-crisis.

came as a complete surprise to the Chinese as the Philippine government “had agreed to settle the territorial dispute peacefully, when Chinese Vice Premier Li Xiannian visited Manila” (Kyodo 3 September 1979, in: FBIS-APA-79-172: P2).

3.2.2 *Philippine reaction to the Chinese moves*

To the Filipinos, the 1987/88 activities of the Chinese on the Spratly Islands came at a peculiar point in their modern history. They had just ousted their dictator Ferdinand Marcos and were experiencing a period of extreme internal instability. Further, the Philippine government grappled with a strong movement to declare the Philippines a nuclear-weapons-free-zone, which would have resulted in severe problems with the US given the latter’s non-disclosure policy. Finally, the Philippines witnessed a political groundswell that eventually led to the abrogation of the Bases Agreement with the US, the Philippines’ mentor, guarantor of external security and most important economic partner in 1991.

In this context, a small-scale skirmish in the Kalayaan islands was hardly a distraction from the overwhelming momentum of chaotic domestic politics. Given the public mood, turning to the US was clearly inappropriate. Lacking a tradition of self-reliance and a political will to develop a national capacity for external self-defense, options for the Philippines were limited.

Even though the Chinese occupation of reefs and atolls had taken place within the Philippine Kalayaan claim, the Philippine government did not show any visible reaction. Quite to the contrary, a government spokesperson only remarked that the Spratlys could be mentioned during the planned visit of Philippine president Corazon Aquino to Beijing. He added, however, that “this is not going to be an issue” (Manila Standard 16 March 1988: 6; Manila Radio Veritas 14 April 1988, in: FBIS-EAS-88-72: 41).

When Philippine President Aquino visited Beijing in March 1988, she exalted her hosts in any conceivable way. To her China was “the premier Asian state” and Beijing “the center of the Chinese universe, from where the Lord of Ten Thousand Years maintained the equilibrium, prosperity and harmony of the realm” (Aquino 1988a). With respect to the Spratly problem she pointed out that “with regard to possible conflicting claims [...] respect and lawful regard have been consistently maintained” (Aquino 1988b). Thereby Aquino got a Chinese commitment that “the Filipino troops garrisoning several islands in the group will not be attacked” (Philippine Daily Inquirer 18 April 1988; see also South China Morning Post 16 April 1988, in: FBIS-EAS-88-74: 4), and probably more importantly also an agreement according to which “the question of the Nansha Qundao [Spratly Islands] may as well be temporarily shelved” (Xinhua 16 April 1988, in: FBIS-CHI-88-074: 10).

Clearly, China was not publicly perceived as a threat at this point in time. Instead, analyses tended to connect the Spratly to the Cambodian issue, where Vietnam with the

support of the Soviet Union (SU) fought against the alliance led by Prince Sihanouk⁷ that not only had the support of the PRC but also the “Western” camp including its East Asian offshoots. China as the enemy of the Western camp’s enemy (SU and Warsaw Pact with their East Asian ally Vietnam), was interpreted as a power that limited Soviet and Vietnamese hegemonic designs.

3.3 Comparing reactions

Despite evaluating Chinese action in the established framework of Cold-War confrontation and the effort to contain the perceived Vietnamese hegemonic design in Indo-China, the Malaysian government devised its policy on account of its long-standing ideal of national resilience. This led to a swift response that combined signals of military determination with a guarantee for retaining the non-alliance policy, coupled with an unbroken economic engagement that aimed at binding China through co-operative projects of mutual interest.

The Philippines hardly reacted at all due to domestic constraints. Given the anti-American groundswell in the population and parts of the elite, the most favored strategy, i.e. external balancing via the US security guarantee, was not feasible. Yet, President Aquino’s strategy of praising China and not publicly criticizing its conduct in the Spratlys during her visit to Beijing was successful in so far as it brought about some crucial Chinese commitments that took the form of unilateral concessions.

Up to this point the rhetoric of both countries was fairly similar. Both opted for bringing China into the international realm and strove for a cooperation that rested on shared historical experiences as colonies as well as efforts to strengthen the Global South. While this strategy was not successful in bringing about a return to the status quo ante, it is important to point out that the Chinese moves did not result in any extended crisis. Even more importantly, China, once having achieved its aim of establishing its presence in the Spratly Islands did not for the time being continue to press further, even though Vietnam occupied several other atolls and reefs in 1989, 1990 and 1991 and the Philippines played with a change of its one-China policy “in favor of a two China policy or at least a more favorable treatment of Taiwanese investors” (Baker 2004: 3).

The actual differences below the observable similarity in Malaysian and Philippine rhetoric became only visible after the year 1989. That year was marked by the Tiananmen-massacre, the unraveling of the Eastern Bloc and the re-evaluation of the Vietnamese threat after Vietnam’s withdrawal from Cambodia.

7 This alliance, the Coalition Government of Democratic Kampuchea, came into being in the early 1980s and was comprised of Sihanouk’s Armée Nationale Sihanoukiste, the People’s National Liberation Front and the Khmer Rouge.

The Malaysian government continued along its well-established independent foreign policy line and stuck to its policy of non-interference, as it denied taking part in the moral outrage over the violence carried out in the course of crushing the Tiananmen demonstrations (Mahathir 1994b). Prime Minister Mahathir went even further, by explicitly creating an Asian We-group, arguing that

“[a]s Asians we intuitively understand what China is attempting to do. We intuitively understand why China is doing what it is attempting to do. We intuitively understand how China is going about the entire process of revolutionizing its society and building towards a place of pride and comprehensive prosperity for its people in the twenty-first century.”

However, he clarified the fundamental standpoint of Malaysia with respect to the Southeast Asian regional order that in his view rested on regional resilience and “cooperative community building [...] (W)e cannot accept a Pax Sinica; we cannot accept a Pax Nipponica; we cannot accept a Pax Americana. [...] Instead, we believe in [...] a Pax without an imperialism, without a protector, and without an overlord” (Mahathir 1994a: 2–3).

This rhetorical exaltation of China and its propagated self-role and world order conceptions received enthusiastic response from China – most visibly during the state visit of Chinese President Jiang Zemin later in 1994 (Jiang 1994).⁸

The Philippines trod carefully with respect to the Tiananmen massacre. When the newly elected Philippine President Ramos visited China in 1993, he maintained his distance to his hosts. While he lauded the Chinese for their economic success, he took pains not to comment on the political situation.

While the Philippines denied any positioning with respect to Chinese self-role and world order conceptions, they initially were more forthcoming than Malaysia with respect to concrete issues pertaining to the Spratlys. During Ramos’s visit the two countries signed a general agreement for a joint exploration of the Spratly archipelago. Further, China offered to assist the Philippines in the modernization of their armed forces. Both initiatives, however, came under severe criticism from Senators on the very day of Ramos’s return from China (Manila Standard 1 May 1993, in: FBIS-EAS-93-083: 44f) and were not followed up on, even though they were repeated by the Chinese side in subsequent years (Manila Bulletin 24 September 1993, in: FBIS-EAS-93-185: 36). Only a few days after his return from China, Ramos unilaterally authorized a marine survey of the Spratly Islands. A foreign affairs official even conceded publicly that the timing had been deliberate, as the Philippines “didn’t want to risk ruffling any feathers before the state visit” (quoted in: Business World 4 May 1993, in: FBIS-EAS-93-084: 40).

The rhetorical distance towards China stood in stark contrast to Ramos’ statements during his US visit in the same year where he based the Philippine-US “partnership” on “the values that both Americans and Filipinos cherish deeply: the sanctity of human rights, the value of democracy and the efficacy of the free market,” only to continue that

8 Most notably this speech was published on page 1 of the Renmin Ribao (人民日报, People’s Daily). Jiang’s visit to Malaysia and the bilateral relations was given ample space in Chinese and English language reports of the time. (see: FBIS-EAS-94-219: 24–35).

“security cooperation, particularly within the framework of the Philippine-U.S. Mutual Defense Treaty of 1951 remains a vital element in Philippine-American relations [...] and] must be strengthened despite the changes in the global and regional security situation.” Most importantly Ramos explicitly welcomed and appreciated “America’s determination to oppose any resort to the use of force in the Kalayaan or Spratly area” (quotes: Ramos 1993). The message to China was clear: The Philippines did not support any form of neutralization but stuck to their dependency relationship with the United States and tried to utilize the latter in order to secure their interests.

4. China occupies Mischief Reef

In early 1995 the Philippine government made public that Chinese forces had occupied Mischief Reef, an elevation in the eastern part of the Spratlys that has been claimed by Vietnam, the Philippines, the PRC and Taiwan. The international environment at that time differed significantly from the times of the Cold War. Without the Soviet bloc as an opponent, China had lost its status as a possible informal ally of the West to counter a Soviet threat in Asia. Vietnam was no longer perceived as the pawn of Soviet expansionism. It had backed out of Cambodia and was finalizing the normalization of its relations with the United States and its accession to ASEAN, thereby completing its journey from an enemy of the US and its Asian allies to a member of the “club.” These changes were to have serious consequences for the perception of and reaction to the Chinese action – at least with respect to the Philippines.

4.1 The Philippines: turning to its patron and the international public

By 1995 the pre-Marcos oligarchic elite had successfully regained control over most of the countryside. The Communist Party of the Philippines had lost much of its popular support. Corazon Aquino had been superseded as president by General Fidel Ramos, who appointed a large number of former officers to crucial posts in government and administration (Gloria 2002).

The Ramos government had to deal with a highly unwelcome situation in which the US had given up their military presence in the Philippines and cut down their military support to zero (Foreign Military Financing Program no year). In late 1994, the Ramos government wanted to push through a controversial bill that aimed at the modernization of the Philippine Armed Forces and would have allocated additional funds of PhP 50 billion (approx. current US\$ 1.9 billion) to the Armed Forces of the Philippines for the first five years. Even though the bill had already passed Congress, the Senate was foot-dragging. Also a secretly negotiated acquisition and cross-servicing agreement that would have helped to bring the US-troops back into the Philippines had been temporarily shelved after its publication created a public uproar and made the members of Congress

and Senate fear for their re-election, given the still significant anti-American disposition of large segments of the population.

In this context the Chinese occupation of Mischief Reef provided a prime opportunity for the Philippine government to further these twin aims that would not only strengthen the Armed Forces but also realign the Philippines and the US militarily. In 1995, the Philippine government magnified the encroachment not only by a public display of outrage, but also by selected counter-provocations, thereby establishing a new security discourse in the Philippines that focused on its own helplessness in the face of a superior rogue power. In the words of National Security Advisor Jose Almonte “we are David in front of a Goliath. Only this David doesn’t even have a slingshot” (quoted in: *Chicago Tribune* 11 April 1995). Put simply, lacking a slingshot, Philippine David aimed at bringing its powerful patron with his vastly superior armory into the equation.

The patron, however, seemed to be reluctant to get into the fray. Joseph Nye, then Assistant Secretary of Defense, publicly declared that “Without a firm position on the legal claim, it’s difficult [for the US] to use force.” However, Nye left a loophole by continuing that “on the other hand, if there were things that violated clear legal claims in terms of the Law of the Sea and thereby interfered with sea lanes, that would be a different proposition” (quoted in: *Manila Standard* 10 March 1995: 2). Thereby the US clearly provided a major incentive to frame the dispute as a conflict over the provision of public goods. This was eagerly taken up by the Philippine elite that framed the conflict as “a multilateral concern of all claimants and parties interested in the stability of the South China Sea and the East Asia region as a whole” (President Ramos quoted in *Manila Standard* 2 February 1995: 28).

Trying to get the US involved, high ranking government officials leaked their analyses of Chinese intentions to the press, as for example, when they pointed out that “China was testing the United States and not the Philippines when it intruded into the portion of the Spratlys being claimed by the Philippines.” By connecting the intrusion to broader Southeast Asian security concerns, the US resolve to guarantee regional security was challenged. To top administrative officials the question was “whether the US has fully abandoned Southeast Asia after Washington dismantled its US military facilities in the Philippines” (quoted in: *Manila Standard* 11 March 1995: 2).

Focusing on the value-based US commitment to the region, Chinese action was portrayed as a demonstration of might against right with the conflict over sovereignty being transformed into one between the forces of democracy and its opponents (*Manila Standard* 11 March 1995: 2). Senator Blas Ople threatened that China’s activities “may invite diplomatic quarantine reminiscent of world reaction to the massacre of students and workers at Tiananmen Square some years ago” (*Manila Standard* 20 May 1995: 28). Philippine national security adviser Jose Almonte upped the ante by criticizing China for “the imperial manner with which it pursues its dynastic ambitions.” He then expressed his hope that “Beijing will come down in favor of more freedom for the Chinese people and of progressing together with its neighbors” (quoted in: *Manila Standard* 27 May 1995: 5).

By utilizing a specific frame that aimed at the US audience, the conservative Philippine establishment saw an option of slowly steering Philippine external defense back into the well-established patterns of dependency that had been uprooted by the anti-American backlash of preceding years. As illustrated above, this frame played on several self-role conceptions of the US. These are firstly those that are closely connected to national interest – i.e. protector of security and stability in Asia and of the freedom of navigation in the international sea-lanes going through the South China Sea. At least as important are those aims that directly connect to the “manifest destiny” of the US: being the defender of the core values of the free world – democracy, freedom and the rule of law.

The Philippine establishment did its best to go beyond the US and bring the conflict to the attention of the international public (Manila Standard 31 March 1995: 24; Manila Standard 7 April 1995: 4). They scored a significant success, when the Non-Aligned Movement passed a Philippine sponsored resolution at its meeting in Jakarta in early May 1995. The Philippines also invited a large number of journalists for cruises to the Spratly islands, despite Chinese protests against such efforts at internationalization (Manila Standard 12 May 1995: 6; Manila Standard 7 May 1995: 7). This proved to be a perfect public relations coup, as Chinese ships blocked the Philippine navy vessel carrying the foreign and Filipino journalists, who nevertheless were given helicopter flights to observe the Chinese installations at close distance (Manila Standard 6 April 1995: 7).

At the same time, in order to further their positive image as peace-oriented David, the Philippines put forward various proposals for resolving or at least managing the conflict. President Ramos proposed an interim solution with “each littoral state around the South China Sea assuming stewardship over the area closest to it without prejudice to sovereignty claims and pending the settlement of those claims in accordance with the ASEAN (Manila) declaration of 1992” (Ramos 1995a). While sounding fairly “innocent,” this proposal would have given stewardship over the whole Spratly-island group to the Philippines. Clearly such a proposal was meant to convey to the Philippine and international public the cooperative and well-intentioned attitude of the Philippine government, while being surely rejected by the PRC (and Vietnam).

By mid 1995 the crisis slowly subsided. While none of the parties compromised on its stance, neither continued with tactics that inflamed the situation. This change was caused to a significant extent by the onset of the Taiwan crisis⁹ that led both parties to lose interest in continuing the dispute. The Philippines had, albeit indirectly, succeeded in pressuring the US into a stronger commitment to regional security and China was confronted with a much bigger problem. With the Philippines receding from upping the ante, China could afford to downplay the dispute as well. Shortly after the two countries signed a bilateral code of conduct that, for the time being, put to rest the conflict over Mischief Reef

9 From July 1995 onwards China conducted a number of missile tests and live fire exercises in the direct vicinity of Taiwan. These were on the one hand a reaction to the visit of Taiwanese President Lee Teng-hui to the United States and a “reminder” to the Taiwanese to think twice before pursuing independence from China. This crisis did not subside before March 1996, when the US ordered two aircraft carrier groups into the region.

and focused on both countries commitment to peaceful conflict behavior and confidence-building (Manila Standard 12 August 1995: 2). In November 1995, Chinese President Jiang and Philippine President Ramos met on the sidelines of the Asia-Pacific Economic Cooperation (APEC) meeting in Osaka and reportedly discussed joint development of marine resources in the disputed regions. Despite this turn-around, the Philippines stuck to their focus on a community of shared values focused on the United States and their normative distance to China and its rulers. In the words of Ferdinand Ramos:

“I ask you not to underestimate the power of America's democratic ideals to help shape East Asian political systems. [...] America's military hegemony in the post-cold war period gives it the historic opportunity to bring political morality to international relationships – to shape a moral world order. [...] Authoritarian regimes may seek their legitimacy by sponsoring capitalist growth. But economic development cannot – forever – substitute for democracy. And it is to the idea of America that East Asia looks – in its groping for freedom.” (Ramos 1995b)

For a short time the conflict was revived in the late 1990s over enhancements of the Chinese installations on Mischief Reef. This strategy of consistently playing up the link between the Chinese threat on the one hand and the need for an enhanced US presence on the other was eventually met with domestic success in 1999 when the Philippines signed and ratified the new Visiting Forces Agreement (VFA) with the United States, which prompted the US to resume military aid to the Philippines. Shortly afterwards, the Philippines scrapped plans to strengthen their fortifications on the Spratlys; the planned military modernization never got off the ground. Instead, they had successfully brought the US back in.

4.2 Malaysia: still speaking softly and strengthening the “we-group”

Malaysia stuck to the line it had already adopted in the 1970s. Neither the Chinese occupation nor the Philippine reaction received any major reporting or executive comment. Prime Minister Mahathir avoided the issue and instead regularly focused on the claimed joint preference of Asians for an Asian-style democracy. Continuing along the line espoused in Beijing a decade earlier, he still argued that “democracy is a method of government. It is good only if the results are good.” Consequently, to Mahathir, “[e]ach country should be allowed to tailor its democracy to cater to the characteristics of its people and its needs” (quotes: Mahathir 1995a: 8, 20). With respect to regional security, Mahathir also stuck to the traditional Malaysian position of keeping the region clear from superpower competition with the accompanying threat of an extended arms race. His alternative concept fit the Chinese vision of a multipolar order, where Asian countries avoid “democratic extremism” and thereby achieve stability, where the strong Asian economies help the weaker ones, and finally “the Asian countries become so rich that the rest of the world depends on the Asian market, Asia becomes the locomotive of growth for the rest of the world” (Mahathir 1995a: 15). Mahathir regularly repeated the normative cornerstones of the “we-group” that united Malaysia and China, which were even put into bilateral official documents like the China-Malaysia Memorandum of Understanding of 1999 that states that

“[...] the two sides, sharing similar aspirations and objectives, hereby agree that priority be given to the following [...] to promote the establishment of a multipolar world and a new equitable and rational international political and economic order. To reaffirm the right of each country to choose its own social, political and economic system and that no country shall interfere in other countries' internal affairs on whatever pretext. To promote the unity amongst developing countries and support developing countries to participate in international affairs on an equal footing and to take their rightful place in the new world order”. (China-Malaysia Memorandum of Understanding 31.5.1999)

While Malaysia criticized China for its activities in the Spratlys, it balanced this position with respective rhetoric that aimed at the United States, underscoring that Malaysia criticized all posturing by great-powers. Foreign Minister Abdullah Ahmad Badawi argued that China “must be able to temper the arrogance and assertive belligerence that can sometimes typify the demeanour of those who have just scaled new heights of power.” However he connected this with a critique of the US by calling for a regional order “which constrains the powerful from using illegitimate and unfair means to prevent others from pursuing legitimate aspirations and realizing their full potential.” Without mentioning names, he extended this criticism to the Philippines as one of those “who are wedded to the preferred imbalance of power” with the US as the supreme hegemon (foregoing quotes: *New Straits Times* 7 June 1995: 5). The Malaysian preference for a non-aligned position and its rejection of external balancing through alliance-building as a strategy for enhancing regional security was regularly given prominence (*New Straits Times* 17 January 1999: 20). During a visit to Beijing Mahathir pointedly remarked that both China and Malaysia shared an interest in “discouraging the formation of alliances in the region”, lauding Chinese President Jiang Zemin for never mentioning “any military alliance or cooperation against anyone, in the region or outside” (Mahathir 1999: para. 28, 33). Mahathir cautioned that ASEAN “should [...] be on guard against becoming a pawn in global politics ostensibly in the interest of regional security. We should not be listening to outside advice about our security needs” (Mahathir 1995b: para. 10–13).

Malaysia clearly supported a strong role for ASEAN as a forum for providing the general rules of the game for the South China Sea conflict. At the same time, however, in line with China, Malaysian leaders endorsed actual settlement exclusively “through bilateral friendly consultations and negotiations” (China-Malaysia Memorandum of Understanding 31 May 1999).

Given that Malaysia's stance was highly acceptable to the Chinese side, Malaysia could not only continue its force modernization program but even occupy two more reefs in 1999 shortly after signing the bilateral statement on the framework of their future relations mentioned above. This latter highly assertive move was met with hardly any Chinese protest beyond the rituals of international diplomacy.

4.3 Comparing Reactions

Malaysian assertiveness with respect to the territorial issues was clearly not less than that of the Philippines. Quite to the contrary, while the Philippines abstained from military buildup, Malaysia consistently pursued a policy that championed military resolve. Both countries displayed various signs of assertiveness, from granting exploration licenses over the detention of foreign fishermen to the upgrading of military installations in the disputed areas or, as in the case of Malaysia, the occupation of new elevations.

The core difference between Malaysian and Philippine behavior towards China was their framing of the territorial conflict and their overall relationship with China.

Malaysia stuck to its foreign policy line established in the 1970s that aimed at giving face to the benign self-role and world order conceptions advanced by the Chinese leadership. While Malaysia did voice its concerns, it did so in a subdued manner that eschewed publicity and was constantly counterbalanced by a normative rhetoric through which Malaysia created a “we-group” that included China. In contrast, the Philippines chose a strategy that crucially focused on denying not only the Chinese pretensions to a benign self-role but also Chinese visions of a more just regional order. At least since the early 1990s Philippine foreign policy tended to instrumentalize its relationship with China in order to maximize Philippine options with respect to its patron, the United States. This was underscored by the Philippine focus on the values that bind the Philippines and the United States. The strategy for dealing with the Chinese occupation of Mischief reef was deliberately calibrated to establish a public image of China as a normatively inferior rogue state that acted in a totally unacceptable way according to the universal standards of international law and, even more importantly, international morality.

While it is unknown what actually prompted the Chinese decision to occupy Mischief Reef in 1995 and especially why China chose to occupy this reef, it may at least be hypothesized that the differences in Chinese perceptions of their overall bilateral relations with Malaysia and the Philippines influenced their choice not to turn to Malaysian claimed, yet unoccupied features. The earlier occupation of Cuarteron Reef shows that the additional distance from the Chinese mainland or the other Chinese Spratly installations was not a problem inhibiting Chinese assertiveness. Further, occupying a feature more to the South of the Spratlys would have sent a much stronger message with respect to Chinese sovereignty claims than the occupation of Mischief Reef. Within the Malaysian claimed EEZ, a number of features were still unoccupied at the time, most prominently Erica Reef and Investigator Shoal, both of which were eventually occupied by Malaysia in 1999.¹⁰

10 Interestingly at the time the Philippines also tried to internationalize this issue and especially to invoke ASEAN. However, Malaysia’s then Foreign Minister took the position advanced by China during the past decade that the Malaysian occupation of these elevations were bilateral problems, and “bilateral problems should only be discussed bilaterally.” When the Filipinos tried to bring the occupation before the ASEAN Regional Forum this was blocked by Malaysia and China. In addition, given Malaysian resistance the Phil-

5. A cooperative interlude in the Philippine-Chinese relationship

The escalation of the 1990s had brought about a deeper engagement of ASEAN, which after several years of negotiation with China signed a joint Declaration on the Conduct of Parties in the South China Sea (DoC) in 2002. While the DoC provided for some ground-rules with respect to permissible and non-permissible behavior, some of its formulations were rather vague and open to interpretation. Even more problematic was, that the DoC was unbinding. Yet, at least all signatories promised to “undertake self-restraint,” refrain “from actions of inhabiting on the presently uninhabited islands, reefs, shoals, cays, and other features,” to resort to peaceful means only and to deal with the conflicts through “friendly consultations and negotiations by sovereign states directly concerned” (Declaration on the Conduct 2002).

While the Philippines initially continued its policy of confiscating Chinese fishing vessels and prosecuting foreign fishermen, the new government of Gloria Macapagal-Arroyo made several landmark decisions that could have changed the strained bilateral relations. Arroyo maximized U.S. support for counterinsurgency against domestic Muslim and Communist rebels by posing as one of the most ardent supporters of the US war against terror. At the same time she mended fences with China not only by toning down rhetoric, but also by having the two national oil corporations, the Philippine National Oil Corporation and China National Offshore Oil Corporation, sign a bilateral agreement on joint exploration in the South China Sea in 2004. China and the Philippines also agreed on enhanced confidence-building measures. Further, Chinese companies successfully bid for several crucial infrastructure projects in the Philippines, with China providing large loans.

In 2005 Vietnam joined the joint exploration agreement. This agreement

“[...] was hailed in China both as an important step in implementing the 2002 Declaration of Conduct of Parties in the South China Sea which it had signed with ASEAN and as a breakthrough in efforts to implement Deng Xiaoping’s formula of shelving sovereignty and pursuing joint development”. (Baviera 2012: 12)

A joint exploration was also attractive to China, because it signaled the Philippines’ willingness to deal with the territorial conflict within the largely bilateral framework envisioned by Beijing.

During these years Sino-Philippine bilateral trade sky-rocketed. Philippine exports increased much stronger than imports, providing the Philippines with a hefty trade surplus.

The enhanced bilateral relationship was also mirrored in mutual visits by politicians and military leaders of the two countries. Presidents Marcos, Aquino, Ramos and Estrada had each visited China only once. Arroyo in contrast visited China in 2001 (two visits), 2004, 2006, 2007 (three visits), 2008 (two visits), and in 2010 (Government of the Philippines no year). China responded with visits of highest-ranking leaders to the Philippines,

ippines failed to get included in the “ASEAN communiqué a statement that all Spratly claimants should halt occupation and construction in disputed areas” (quotes: Mak 2010: 196).

amongst them former Premier Li Peng and President Hu Jintao in 2002 and 2005 respectively. In 2007, the Chinese People's Daily, on account of a visit of Chinese Premier Wen Jiabao to the Philippines, opined that "Sino-Philippine Relations Enter a Golden Period" (People's Daily online 16 January 2007).

However, this "Golden Period" came to an abrupt halt in 2008, when the Philippine president's China deals came under a barrage of criticism for selling out Philippine sovereignty to China and agreeing to this and other contracts in exchange for huge sums of corruption money (Philippines Senate Committee 2009). As a result of the overwhelming domestic pressure the Joint Maritime Seismic Undertaking was not extended after its initial phase expired in 2008. The conscious effort of the President to balance the United States, China (and to a lesser extent Japan) "in East Asia against each other to ensure national security" (De Castro 2010: 697) had come to an end. The Philippines were back at what De Castro unflatteringly calls a "protectorate status" to the United States (De Castro 2010: 708).

China obviously wanted to contain the fall-out of the domestic Philippine conflict on bilateral relations. Its Manila embassy even released a public statement stating that China highly valued the good bilateral relations. This statement also explicitly took note of the South China Sea conflict by remarking that "China has put forward the proposition of 'shelving disputes and going in for joint development', which serves the common interests of all sides concerned." It further urged that "The China-Philippines-Vietnam tripartite cooperation in the South China Sea [...] is conducive to the maintenance of peace and stability in the South China Sea and the region at large" (Xinhua 2008).

Yet, the tide in the Philippines had already turned. In 2008 the Philippines announced that they planned to improve the runway on a Philippine occupied island in the Spratlys. Shortly afterwards, the Chief of Staff of the Philippine Armed Forces visited the disputed Spratly Islands and the Philippines announced that they would improve the runway on Philippine occupied Thitu Island in the Spratlys. In 2009 President Arroyo signed into law the Philippine baselines bill (Republic Act No. 9522) that established the baselines from which to measure Philippine maritime claims and explicitly included the Kalayaan Islands and Scarborough Shoal, a move that drew angry protest from China and even led to the cancelation of official visits.¹¹ When China announced that it had dispatched a patrol ship to the South China Sea Philippine National Security Advisor Norberto Gonzales opined that such a move "should remind us that even in this era of dialogue and understanding in the world, there will always be nations that will show might and threaten perceived weak nations like us" (quoted in: Inquirer.net 2009).

11 China had already established its Law on the Territorial Sea and the Contiguous Zone in 1992 and declared its baselines in 1996. However, this latter declaration was confined to the seas adjacent to the mainland and the Paracel Islands. Up to the present, the Chinese have not declared the baselines for their other claims in the South China Sea.

6. China's "new assertiveness" in the South China Sea

While discourse on China's new and rising assertiveness is much broader, one crucial aspect refers to changes in Chinese conflict behavior in both the East and South China Seas. Whereas earlier Chinese assertiveness hardly ever targeted Malaysia, this no longer holds true since Chinese government ships – exploration and coast guard vessels as well as vessels of the Chinese Navy – have regularly plied the seas claimed by Malaysia in the last few years. This first became public when the Chinese Armed Forces informed the public that a Chinese Navy flotilla had conducted patrol and high-sea training exercises near James Shoal only about 80 km off the East Malaysian coast. Shortly afterwards another Chinese government ship seems to have thrown sovereignty markers into the sea near the disputed Reef. In early 2014, the Chinese Ministry of Defense published a number of pictures that were said to show an oath-taking ceremony on board of three Chinese warships "in the waters of the Zengmu Reef [James Shoal; P.K.] in the South China Sea" (People's Republic of China, Ministry of National Defense 2014). In June 2015 Malaysia announced that it had detected a Chinese coast guard vessel at Luconia Shoal, squarely within the disputed sea area. It was also reported that this vessel "had been anchored in the area for about two years" (Borneo Post online 2015). Only a few days later "the Diplomat" published several images that showed another very large Chinese coast guard ship operating in the same waters, while being shadowed by a Malaysian patrol vessel (Lee 2015).

Chinese-Philippine relations had already soured with the enactment of the Philippine Baseline Bill in 2009 (Republic Act No 9522), which explicitly included both the Kalayaan island group (i.e. large parts of the Spratly islands) as well as Scarborough Shoal and was met with serious Chinese protest. Escalation on the ground commenced in 2011, when a Philippine navy vessel rammed a Chinese fishing boat. In the same year the Philippines decided to unilaterally commence oil exploration in the Northeast of the Spratly Islands around Reed Bank. Unsurprisingly the Philippine decision evoked protests from the PRC and even more prominently from Taiwan. Despite the protests the Philippines went along with the exploration. In early March, the exploration ship was forced by two Chinese Marine Surveillance Force (海监部队, *haijian budui*) vessels to leave the area.

In early 2012, the Philippines issued new invitations for investments in oil and gas fields in the South China Sea. Shortly afterwards, Chinese Maritime Security vessels confronted a Philippine Navy vessel that had tried to apprehend Chinese fishermen in the Scarborough Shoal area.¹² While the Philippines replaced the Navy vessel with coast-

12 The initial incident of Philippine forces aiming to detain Chinese fishermen follows a well known pattern. Even during the heyday of Sino-Philippine relations in the first decade of the new Millennium, the Philippines underscored its claims to sovereignty and sovereign rights in its EEZ by regularly detaining Chinese fishermen. These, according to Chinese law, were well within their right to fish in Chinese waters. Between 2000 and 2011 at least 265 Chinese fishermen are said to have been detained by Philippine forces (En.sunlawyers 2012; see also Xinhua 2012; Rappler 2012).

For the official Philippine version of the incident see: Public Information Service Unit 2012.

guard ships, the situation escalated as the two contending forces opposed each other for several weeks. Whereas the Philippine forces eventually left the area, the Chinese used this opportunity to extend their control over the shoal. Since then, Chinese vessels have regularly denied Philippine fishing vessels entry into the region.

In 2014, Chinese ships blocked the resupply of a Philippine ship that has been run aground at Second Thomas Shoal in 1999 and used since then as a basis for a small military detachment and a symbol of Philippine sovereignty. In a parallel move, the Philippines in early 2013 unilaterally initiated an arbitration case against China at the Permanent Court of Arbitration. Although China does not participate in the case, the initial steps for arbitration have been completed. In July 2015 the court convened a first round of oral arguments discussing whether the case is within the jurisdiction of the court.

The year 2015 saw a further escalation, after it became publicly known that China has been creating artificial islands out of its rather small outposts in the Spratlys. These islands are meant to harbor airports, ports, lighthouses and will most likely be equipped with military equipment.

6.1 The Philippines: instrumentalizing the US and challenging China

In 2010 the new President Benigno Aquino assumed office on the basis of a highly reformist agenda. He presented himself as the one who took up the burden to end “the silent suffering of the nation.” He promised to turn around the national destiny when he took office as President:

“The Filipino stands tall once more. We are all part of a nation that can begin to dream again. To our friends and neighbors around the world, we are ready to take our place as a reliable member of the community of nations.” (Aquino 2010)

Distancing his government from his predecessor’s he strongly focused on national pride:

“It isn’t impossible for the Philippines to stand strong and say, ‘The Philippines is for Filipinos – and we are ready to defend it.’ It is not impossible for the Filipino [...] to stand with his head held high and bask in the admiration of the world” (Aquino 2012).

This focus on value-driven politics sets him apart from his predecessor Gloria Macapagal-Arroyo who was portrayed as the epitome of all the ills besetting the Philippines, i.e. nepotism, corruption, election fraud and shady backroom deals that profited the wealthy and impoverished the broad masses.

Given that Arroyo’s China policy was beset with exactly these ills, the new government of Benigno Aquino from the outset changed course and replaced the former president’s policy of equi-balancing China and the United States with a policy of external balancing of China through the traditional guardian of Philippine external security, the United States (De Castro 2014). Aquino’s new balancing approach resulted in an outright challenge to China’s maximalist territorial claims in the South China Sea and an escalating number of incidents and tit-for-tat actions that brought Sino-Philippine relations to a historical low.

While the above-mentioned ramming of a Chinese fishing boat by a Philippine war-ship in 2011 was defused with a Philippine apology, the decision to explore for oil in the Reed Bank set in motion a first round of confrontation. On 2 March an exploration ship sent by the Philippines was forced by two Chinese Marine Surveillance Force vessels to leave the area. The Philippines reacted by first sending patrol aircrafts. Shortly afterwards, Manila went public and “lodged a formal protest at the United Nations and sought support from the Association of Southeast Asian Nations” (Muscolini 2013: 83). The Philippines further upped the ante by releasing an official statement accusing China of having displayed its power in a way “that shows a big country strong-arming a poor country” (Senate of the Philippines 2011). In his 2011 state of the nation address President Aquino linked the territorial dispute with China to Philippine pride:

“Does enhanced security not also enhance our national pride? There was a time when we couldn’t appropriately respond to threats in our own backyard. Now, our message to the world is clear: What is ours is ours”. (Aquino 2011)

The Philippine Foreign Affairs Secretary and former Ambassador to the United States, Albert Del Rosario, utilized strategies that resembled those used under former President Ramos during the 1990s. These aimed at depicting the territorial conflict as revolving about the ultimate public good of international relations: the rule of law. Thereby the Philippines emerged again as the standard bearer of a much-cherished principle that was threatened by the rogue behavior of a superior power:

“The rule of law is the bedrock of peace, order and fairness in modern societies. The rise of a rules-based international system has been the great equalizer in global affairs. [...] The Philippines’ policy in the SCS [South China Sea] [...] is grounded on an unwavering adherence to international law. Since international law must be observed, it behooves the Philippines to embrace this imperative to the fullest” (Del Rosario 2011a).

The Philippines were described as a role model for others to emulate, a state that “is resolved to hold sacrosanct the primacy of international law specifically the United Nations Convention on the Law of the Sea” (Del Rosario 2011b).

Again the Philippines turned to the cherished self-image of the weak but brave David, who dared oppose the large, extraordinarily powerful but rogue Chinese Goliath as the representative of right against might. Again, the Philippines tried to suggest that military help by the United States would be forthcoming in the event of an armed conflict in the Kalayaan area (Del Rosario 2012).

In an effort to isolate China further, the Philippines played several cards at the same time. They sought US support and especially a commitment that the US would come to the aid of the Philippines if the latter’s far-flung maritime claims were threatened by armed force. They also brought additional international players in, most notably Japan and to a lesser extent Australia. Simultaneously, the Philippines aimed at international public opinion, when for example Philippine President Aquino gave interviews to various international media and alleged that the current situation in the South China Sea resembled the situation in 1938 when the Western Great Powers allowed Nazi Germany to swallow the Sudetenland (Philippine Star 2015, Frankfurter Allgemeine Zeitung online 2014; Aquino 2014). The self-presentation of the Philippines as the weak but brave champion of democracy and rule of law resonated particularly well with the media in the Unit-

ed States, Japan and Australia and made the Philippines part of an imagined universal community of normatively superior states with a “manifest destiny” to put representatives of pure might and power in their place.

A final line through which China was to be challenged was by resorting to international organizations, most importantly ASEAN. To Philippine dismay, ASEAN did not openly support its strategy of confronting China and declined to take any active positioning that went beyond the usual diplomatic rhetoric. In 2012 for the first time in its history, ASEAN leaders could not agree on a communiqué at their summit meeting, supposedly because “China bought the chair [i.e. Cambodia]” (New York Times 2012). Yet, also in later years ASEAN did not fall into line with the Philippine effort to take a strong public stance at Chinese activities in the South China Sea. In 2015, the Philippine Foreign Minister published his intervention at the annual meeting even before his presentation, thereby turning a forum that gave a premium to confidentiality into a stage for public posturing and threatening the other participants with loss of face if they were not responsive to the Philippine call. Amongst other things, Del Rosario warned that

“[...] massive reclamation was clearly intended to change the regional status quo, to advance our northern neighbor’s unreasonable, expansive and illegal so-called Nine-Dash Line claim, to undermine the rule of law and to render the DOC and the COC¹³ irrelevant. [...] [W]e argued that if ASEAN did nothing about these reclamations, it would undermine ASEAN’s very centrality, solidarity and credibility. And [...] we brought this issue for discussion in the ARF, EAS, ASEM¹⁴ and even the United Nations, in order to galvanize the understanding of the international community. In summary, it may be said that the Philippines has borne more than its share of the heavy burden for ASEAN and the international community on this issue. [...] Even as this issue is unfolding in our region, it invariably affects the entire global community. [...] On this most important issue, is it not time for ASEAN to finally stand up for what is right?” (quotes: Del Rosario 2015)

While such talk along the lines of right against might may fit confidential discussions between ASEAN-leaders, going public was a clear departure from the common ASEAN stance. While the official final statement of the 2015 ASEAN summit took a much stronger stance than in earlier years, the pronouncements still were a far cry from what the Philippines had clamored for.

Lacking open support by ASEAN, the Philippines unilaterally filed their case against China at the Permanent Court of Arbitration in early 2013. While the US, Japan and Australia immediately supported Philippine action, ASEAN-states trod carefully. Except for Vietnam, neither the organization nor any of its member-states publicly voiced support. While turning to arbitration may be thought of as a conflict-deescalating move at first sight, in this case it was clearly meant to humiliate China in front of the global public. First, the unilateral move of the Philippines violated one core principle of arbitration – that all relevant parties to the conflict voluntarily submit the case, which allows for the result of the arbitration to be binding. Second, the Philippine submission largely aimed at

13 These are the 2002 Declaration on the Conduct of Parties in the South China Sea and the envisaged and currently negotiated Code of Conduct.

14 These are the ASEAN Regional Forum, the East Asian Summit and the Asia-Europe Meeting respectively.

delegitimizing the Chinese nine-dash-line, whereas the legitimacy of the Philippine claims was not to be discussed.

However, the Philippines succeeded in getting much of the international press on its side. Even the G7 in its 2015 Leaders' Declaration not only proclaimed its concern about the present tensions, but noted that they opposed "the use of intimidation, coercion or force, as well as any unilateral actions that seek to change the status quo, such as large scale land reclamation" (G7 Leaders' Declaration G7 Summit 2015).

While the United States are still wary to commit themselves to the defense of the islands and atolls in the South China Sea, the past years saw an ever clearer commitment to the Mutual Defense Treaty's stipulations referring to attacks on the two parties' "armed forces, public vessels or aircraft in the Pacific" (Mutual Defense Treaty 1951). Further, the US linked the territorial disputes to its core interest of upholding freedom of navigation in the South China Sea, underscoring its seriousness by respective symbolic actions taken by its armed forces and presented by international media, whose representatives had been invited to the specific Freedom of Navigation (FON) Operations (CNN 2015). In addition, the Philippine security establishment, succeeded not only in finally getting a visiting forces agreement with Australia ratified by the Philippine Senate in 2012, but, more importantly also an enhanced Defense Cooperation Agreement with the United States (2014). Financially, the Chinese threat proved to be a blessing for the Philippines. While China did not retaliate in the economic sphere and bilateral trade has been continuously rising for the past years, military aid by the US, which had been significantly cut down on account of domestic Philippine human rights violations, more than doubled in and after 2012.

Without the Chinese threat, such success would have been highly unlikely. In addition, the Philippines have gained the support of Japan, which is presently revising its defense posture towards a stronger engagement in the East and Southeast Asian region. In this respect the Philippine strategy of external balancing has been successful.

However, one should bear in mind that this "success" has come at significant cost. Now, as in all earlier instances of unilateral changes to the status quo in the South China Sea, the status quo ante has not been restored. In this context, the serious downturn of bilateral relations, the hardening of Chinese positions, the loss of communicative channels, the enhanced threat of unintended armed incidents, and the further weakening of ASEAN are serious drawbacks. They will hamper any efforts at more cooperative strategies, as for example through the signing of a binding Code of Conduct for the South China Sea.

6.2 Malaysia: ignoring provocations and upholding the “we”

March 2013 to June 2015 saw several events in Malaysian claimed waters that were widely interpreted as evidence for the expansionist and coercive Chinese South China Sea policy. In all cases Chinese government ships had not only entered the Malaysian claimed EEZ, but carried out activities that signaled the Chinese intent to demonstrate sovereignty, even though China did not go public except in one instance, the public oath-taking ceremony on-board Chinese warships in January 2014. Neither did the Malaysian government inform the public. Further, even after publication by national and international media, the Malaysian government largely abstained from comments, and the government-controlled Malaysian media largely ignored what had happened. While the Malaysian government issued diplomatic protests, these were also kept confidential as long as possible. As Lockman notes: “In contrast to how such exercises are greeted in Hanoi and Manila, the Malaysian public response has been a deafening silence” (Lockman 2013).

In several cases the Malaysian government seems to have been caught off guard by the publications. When for example questioned about the January 2014 oath taking ceremony, the Malaysian Navy Chief Tan Sri Abdul Aziz Jaafar denied that it had happened in Malaysian claimed waters. He argued that the Chinese exercise happened 1,000 NM away (The Star 31 January 2014). He also stated that Malaysia as well as the US had been informed in advance of the exercises and that there “has been no act of provocation on the part of the Chinese or threat to our sovereignty as they are conducting their exercise in international waters” (quoted in: The Rakyat Post 14 February 2014). A few weeks later, the Chief of the Malaysian Defense Forces further tried to defuse the situation by arguing that the Chinese ships “passed through James Shoal. They did not patrol James Shoal” (Wall Street Journal 2014; italics P.K.).

While these statements convey the image of an elite that was lacking a strategy for breaches in confidentiality, Malaysian Defense Minister Hishamuddin’s remarks regarding the 2013 patrols signal the government’s overarching political framework for dealing with China. Distancing Malaysia from its neighbors, he stated that

“Just because you have enemies, [this] doesn’t mean your enemies are my enemies. [...] [The Chinese] can patrol every day, but if their intention is not to go to war [...]. I think we have enough level of trust that we will not be moved by day-to-day politics or emotions” (quoted in The Malay Mail online 2013).

In a similar manner, Prime Minister Najib Razak in a May 2014 interview emphasized:

“We want the South China Sea dispute to be resolved in a calm and rational manner. We should not undertake anything that will ratchet up tension in the region. [...] We must look at the big picture and not define relations with China on a single-issue basis but [...] recognize the strategic importance of our bilateral relationship with China. [...] We have to recognize that there is a need for unity and centrality in Asean to resolve this issue. But at the same time, we cannot prevent Asean countries from taking actions individually.” (Razak 2014a)

This last sentence constitutes a thinly veiled criticism of the Philippine and Vietnamese strategies and the Malaysian leadership took the opportunity of the commemoration of 40 years of diplomatic relations with China to present what it claims to be a success story. The core frame was given in the title of an article by Malaysian Prime Minister Razak

published in both the (Chinese) People's Daily and the (Malaysian) New Straits Times shortly after the 2014 incident: "Partners in peace and prosperity." Razak acknowledged that China has "re-emerged as a Great Power in a new, multipolar world order," thereby underscoring the shared appreciation for the idea of a multipolar world and implicitly objecting to the idea of continued US-hegemony (New Straits Times 2014). Most importantly, the Malaysian leadership publicly advocated a prominent "role for quiet diplomacy – in the prevention of conflict, the containment of hostilities and the peaceful resolution of disputes" (Razak 2013).

The broader Malaysian perspective on its relations with China also played a prominent role in Razak's speech at Georgetown University in September 2014, when he put China's rise in relation to US hegemony. While he criticized China without mentioning it, by pointing out that "[u]nilateral actions risk hardening national positions, making resolution even more challenging," he again took a positive note with respect to China's vision of a future multipolar world that would need some adaptation by the United States. He voiced the long-standing Malaysian fear of "a new 'great game'; that Asia – and in particular, East and South East Asia – will find itself at the heart of a struggle between rival superpowers" (Razak 2014b).

Clearly Razak's vision differs significantly from the one espoused by the Philippines, the United States or the mainstream international media, as he advocates a change of the regional framework for security away from unipolarity towards multipolarity that tasks all major current and future regional power-centers with jointly safeguarding regional peace and order. Linking Asian security and economic development, he implicitly picks up an oft-repeated Chinese argument: "I am confident that this transition towards an evolving strategic landscape, where power and influence are more evenly distributed, can be managed peacefully. [...] Deeper economic integration is key to this" (Razak 2015).

Shortly after this statement it became public that Chinese Coast Guard ships had been plying the Malaysian EEZ again and one of them had most probably been anchored there for up to two years. This time, the Malaysian leadership resorted to public protest and criticism. Some authors argue that this signals a slow change of course. Yet, as the whole issue was once again hardly taken up by the Malaysian press and there were also no follow-up statements by the Malaysian leadership after the initial round of criticism, it seems more probable that the Malaysian government has learned its public-relations lesson. Up to the present, Malaysia aims at upholding confidentiality and non-disclosure. However, in an environment, where Chinese actions are documented by independent media that can get hold of detailed satellite and other surveillance images provided by other interested parties, the de-escalatory strategy that relies on inter-elite backroom communication is ever harder to sustain. Therefore, in order to deflect criticism of weakness the government is forced to play the nationalistic card at least to a minimum extent.

Fitting the subdued rhetoric and confidential style, Malaysia is keen on utilizing bilateral diplomacy to support good overall relations and reduce frictions, a strategy that is met with a positive response from China. Despite the Chinese incursions into Malaysian claimed waters, the Malaysian Prime Minister continued to be a regular visitor to Beijing who receives appointments with the highest-ranking Chinese politicians. In 2014 alone,

Malaysian Prime Minister Najib Razak paid two visits to China, meeting Xi Jinping and Li Keqiang on both accounts. Chinese President Xi explicitly “acknowledged that the quiet diplomacy approach adopted by Malaysia was the best method, as it stressed on discussion rather than confrontation or international liaison work involved” (Borneo Post online 2014). In early 2015 Razak, who attended the Boao Forum, met Xi Jinping again, with the latter pointing out after the meeting “that China-Malaysia relations are at their best in history” (People’s Republic of China Ministry of Foreign Affairs 2015).¹⁵

Despite such intense efforts at upholding rapport through high-level bilateral diplomacy Malaysia complements its subdued rhetoric with a strong defense posture that, however, avoids formally allying with external powers, or connecting specific moves with defined threats. While taking advantage of its cooperation with the United States, Australia and Singapore, Malaysian strategy is still geared towards national resilience; i.e. a self-sustained national defense posture. Consequently, during the past quarter century the Malaysian defense budget has been consistently much higher than that of the Philippine in absolute terms despite the fact that Malaysia is dwarfed demographically by the latter (Stockholm International Peace Research Institute 2015).

Despite its security posture that focused on maritime threats and established fairly credible defense capabilities, Malaysia’s way of dealing with China elicited a much more favorable response, keeping bilateral tensions on very low levels and averting cycles of mutual provocations. While Chinese moves in the Malaysian-claimed EEZ elicited concern, they remained isolated acts that did not lead to cycles of mutual counter-assertion that characterize much of the Sino-Philippine relations.

7. Conclusion

Even though the Sino-Malaysian relationship is characterized by a fundamental asymmetry with respect to almost all variables that may be considered for measurement, the two states have been able to establish and uphold stable and highly profitable bilateral relations over the past four decades.

While there was some lingering distrust on the side of Malaysia in the 1970s and also in the early 1980s, Malaysian threat-perceptions have at all times been hedged by putting

15 Chinese readiness to grant regular high-level access to Malaysian top level leaders contrasts significantly with its behavior towards Philippine leaders that have hardly been present in Beijing nor received Chinese visitors in the past few years. Most prominently, China “punished” the Philippines by disinviting President Aquino in 2013. It also all but ignored the occasion of the 40th anniversary of bilateral relations in 2015. Earlier the Philippines had also taken to this type of “sanctions,” when President Estrada cancelled a visit to China in 1999 during one of the repeated crises with China on the disputed South China Sea islands. Put simply, whereas Malaysia and China seem to resort to intensified bilateral visit-diplomacy as a means for defusing crises, in the bilateral relations between China and the Philippines, crises tend to result in a weakening or near break-down of bilateral contact.

them into a much broader perspective that proceeded from the frame of mutually beneficial relations. An unnamed Malaysian diplomat pointed out that

“[...] the question of whether China is in fact a threat to the region, including Malaysia, or is not a threat is a complex and debatable issue. But this point must not be confused with Malaysia’s conscious and deliberate policy of not viewing China as a threat”. (Quoted in Kuik 2013: 463, italics in original)

Whenever possible, Malaysian leaders tried to devise shared identities that appealed to China, as for example the strong insistence on national sovereignty, interpreted as a denial of foreign interference in internal affairs, regional resilience and multipolarity, all of which aimed at upholding Southeast Asian autonomy on regional matters while balancing external powers and denying any external power hegemonial grip on the regional order. Further shared dimensions were the insistence on alternative readings of core themes of the discourses on human rights and democracy that denied the Western countries the right to define the normative rules of the game by posing their reading as universal.

Most importantly, Malaysia’s deference did not come at any costs with respect to the country’s maritime and territorial claims. Quite to the contrary, up to the present China has exhibited a significantly lower level of assertiveness towards Malaysia than towards the Philippines that repeatedly resorted to publicly challenging the Chinese claims. The Sino-Malaysian relationship closely resembles the positive equilibrium between asymmetric neighbors described by Brantly Womack. Malaysia signals deference to the superior status of China and China in return reciprocates by granting significant leeway to Malaysia’s South China Sea policy including its actions that pertain to its territorial and maritime claims. Malaysia’s behavior likewise fits the optimum behavior of a weaker power, if we resort to the model provided by Shih and Yin. Malaysia provides rhetorical support for core dimensions of the Chinese self-role and world order conceptions. In exchange China reciprocates by compromising on its maritime and territorial claims, albeit not with respect to the claims themselves, but at least with respect to the means and strategies employed in actual conflict behavior.

In a nutshell: the Malaysian strategy successfully inhibited Chinese assertiveness and thereby enabled a largely crisis-free management of the maritime and territorial conflict.¹⁶

In contrast, except for the short interlude of the Arroyo presidency, the Philippines never managed to achieve bilateral “harmony” with the rising China at the level Malaysia

16 At this point a final caveat seems in order: Strictly speaking, this analysis could not prove that the low levels of Chinese assertiveness towards Malaysia are a result of Malaysia’s active policy of giving face to China.

The current analysis rests on plausibility. On the one hand, differences in Chinese behavior towards Malaysia and the Philippines fit several theories advanced to explain Chinese foreign policy behavior, all of which stress the Chinese need for recognition and the Chinese willingness to compromise on procedural or substantive issues in exchange. On the other hand, while the glaring differences in the two opponents’ behavior towards China make for a plausible cause, alternative explanations for the variance in Chinese behavior are lacking. Further, the case of Sino-South Korean relations may be utilized as additional evidence that respect and recognition or face-policy may help to mitigate Chinese behavior in maritime and territorial conflicts.

did seemingly effortlessly. The Philippine strategy has at no point in time succeeded in preventing unilateral acts of Chinese assertiveness, nor was it able to bring about a return to a status quo ante, once China had managed to better its position (as for example by occupying islands or reefs, establishing or expanding military installations or proclaiming new laws that ostensibly also apply to the disputed territories). At the same time, the face-denial strategy employed by the Philippines has repeatedly resulted in tense stand-offs and cycles of mutual retribution and thereby enhanced the chance of unintended armed confrontation and reduced the option for cooperative endeavors.

The core difference in the dispute behavior of Malaysia and the Philippines is located in the fulfillment of the requirement of deference. In most phases the Philippines chose a challenging strategy. Most importantly it did not only challenge China's maritime and territorial claims, but also Chinese self-role and world order conceptions. This was done in a way that was meant to publicly deny China its self-ascribed role of a "civilizational state" of superior moral standing. In return, China turned to the strategy of "harmonious disciplining" (Shih/Yin 2013: 74) in an effort to force the Philippines to display a deferential attitude that would allow China to compromise with respect to levels of assertiveness. The purpose of such harmonious disciplining is not to resolve the conflict, but to create an appearance of harmony, or, as Shih and Yin put it, "the concealment of disharmony" (Shih/Yin 2013: 75). The Philippines' refusal to play its designated role reveals the true extent of disharmony and demands an assertive Chinese response, which ideally focuses on enforcing the acceptance of the normative frame provided by China.

These dynamics also closely fit the logic of face-nationalism as analyzed by Gries. Gries argues that one of the core aims of Chinese politics is to convey the understanding that China's leaders are "successfully maintaining China's 'national face' on the world stage" (Gries 1999: 63). With the over-towering narrative of a "century of humiliation" (bainian guochi 百年国耻) upholding face, gaining respect and symbolic recognition for its self-role and world order conception is a highly emotionalized political aim. The fundamental loss of face during the century of humiliation "continues to haunt contemporary Chinese, who seek to restore China's dignity in the international community" (Gries 1999: 71). As already noted in the introduction this dire need for face makes Chinese foreign policy dependent upon the gaze of the Other, as face must be given. However, when such face-giving is not forthcoming, China tends to "coerce face for China," a nearly impossible undertaking that under current conditions is "ultimately self-defeating. A great irony of Chinese foreign policy is that the strong desire for international affirmation often leads China's elites to present a very bad face to the world" (Gries 1999: 69).

In the language of face-diplomacy (*mianzi waijiao* 面子外交) the Philippine public challenge to China's self-role and world order conception then amounts to a fundamental loss-of-face for China, that cannot be tolerated. Malaysian politicians aim at giving face to China (*shang lian* 赏脸; or *gei mianzi* 给面子), whereas Philippine politicians actively aim at destroying the public face of China (*diulian* 丢脸). Through its face-giving behavior Malaysia itself earns face (*zheng mianzi* 争面子), which allows the Chinese to unilaterally advance concessions with respect to conflict behavior. The Philippines on account

of their face-destroying strategy are treated as an actor of lower moral standing that is not in need of face (bu yao lian 不要脸) and has to be dealt with accordingly.

This study goes further, as it shows that selective role-taking by China's opponents, i.e. conforming to and enacting the role-set provided by the Chinese, enables them to influence Chinese behavior and elicit higher willingness to compromise. Higher levels of respect and purported "we-group consciousness" displayed by Malaysia corresponded to lower levels of Chinese assertiveness. The Philippine strategy of challenging China's self-role and world order conception resulted in higher levels of Chinese assertiveness. At the same time, China displayed higher tolerance of Malaysian assertiveness, whereas it regularly countered respective Philippine acts. By granting recognition to China's normative claims, by providing China with face, China's opponents in the territorial and maritime conflicts also provide the Chinese elite with new behavioral options. The Chinese elite can utilize recognition and face gained as a (temporary) substitute for tangible gains in the maritime and territorial disputes.

In order to achieve a collaborative equilibrium, China's opponents can take steps to change the current confrontational dynamics in the South China Sea. A first step in this direction would be to bring down the heated rhetoric that portrays China as a rogue and fairly uncivilized state. A second would be to rethink the two-pronged strategy of bringing the US back in and at the same time pressuring ASEAN to adopt a hard-line stance. While the US certainly functions as a guarantee-power of last resort (as it does informally for Malaysia), this need not be overly emphasized. The ASEAN-stance on the issue must be kept independent from the US. Any ASEAN criticism of China's conduct in the South China Sea must be seen as independently voiced concern of the regional community and not as taking sides in the contest of the established and the rising hegemon. Otherwise ASEAN loses its core asset as an independent organization of regional states that aims at determining the rules of the game for the region. ASEAN should give more prominence to its old idea of ASEAN-centrality and regional and ASEAN-based resilience. This would necessitate ASEAN to take over more responsibility for keeping all external powers at arm's length and successfully re-establish regional leadership with respect to the fundamental rules of the game.

The obvious focus of ASEAN would be on the establishment of a binding regional code of conduct for the South China Sea that would eventually replace the old DoC of 2002. Yet, China's accession to such a code hinges on the future options open to the US in the region, since any binding code would limit Chinese but not US military options in the South China Sea. Therefore, the US would have to do their bit so that a compromise between China and the ASEAN would not appear as a weakening of China's national security. This could either be achieved through a unilateral concession or an accession to the code of conduct that then would have to be framed in a way that also delimits the strategic options open to the US.

For the Philippines, as for all other claimants, it is important to accept the as yet unspecified Chinese offer to jointly utilize the yet to be completed installations on the newly established artificial islands. In exchange, the other parties should offer joint use of their installations to China. Further, the Philippines as well as the other claimants should call

the Chinese bluff of offering joint exploration of seabed resources and enter into bilateral negotiations “so as to reduce differences between claimants to the bilateral level” (Swaine 2015). This would be a major symbolic concession to the Chinese side, which consistently argues that in the final analysis the conflicts must be resolved through negotiations between the claimants. ASEAN might also broker talks that aim at establishing a joint fisheries authority, which would be responsible for establishing quotas for the various states and all other countries for those areas that are within the EEZ claims of the various claimant states. Respective models do exist such as the bilateral fishery agencies that regulate fishing in the EEZs disputed between China and South Korea, China and Japan and China and Vietnam (in the gulf of Tonkin).

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